

10861. Misbranding of cottonseed meal. U. S. v. Robert Lee Batte (Thorndale Oil Mill). Plea of guilty. Fine, \$50. (F. & D. No. 13912. I. S. No. 18803-r.)

On July 8, 1921, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Robert Lee Batte, trading as Thorndale Oil Mill, Thorndale, Texas, alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about December 15, 1919, from the State of Texas into the State of Kansas, of a quantity of cottonseed meal which was misbranded. The sacks containing the article bore no statements as to the net weight of the contents thereof.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 21, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10862. Adulteration of catsup. U. S. v. 25 Cases of Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14001. I. S. No. 3201-t. S. No. C-2602.)

On December 7, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases, each containing 2 dozen bottles of catsup, at Walnut Ridge, Ark., alleging that the article had been shipped on or about October 22, 1920, by the J. T. Polk Co., Mound City, Ill., and transported from the State of Illinois into the State of Arkansas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Polk's Best Catsup, J. T. Polk Company, Chicago."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of filthy, putrid, and decomposed vegetable substance.

On May 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10863. Misbranding of Pratts cow remedy. U. S. v. 15 Packages of Pratts Cow Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14414. I. S. No. 1725-t. S. No. C-2766.)

On February 27, 1921, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 packages, more or less, of Pratts cow remedy, remaining in the original unbroken packages at Port Arthur, Texas, alleging that the article had been shipped on or about November 15, 1919, by the Pratt Food Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of salt, soda, Epsom salt, iron oxid, fenugreek, ginger, nux vomica, and gentian.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements, appearing on the packages regarding the curative and therapeutic effects of said cow remedy, to wit, "Pratts Cow Remedy is a tested remedy and preventive for Contagious Abortion, Barrenness (Failure to Breed), Garget, Milk Fever * * * For Barrenness * * * For Milk Fever and Garget * * * prevents retained afterbirth * * * For Calves: For preventing or treating scours * * * Pratts Cow Remedy will assist in rendering the bull's service more sure, particularly where contagious abortion has appeared in the herd * * * For Accidental or Contagious Abortion * * * To Prevent: In herds where cows have previously aborted, or in neighborhoods where disease exists, * * * Contagious Abortion * * * Retained Afterbirth * * * Pratts Cow Remedy Is A Medicinal Specific for diseases of cows * * * preventive and remedy for cow